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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,230	09/25/2001	Bharat Sastri	M-9929 US	1821
7590	08/02/2004		EXAMINER REAGAN, JAMES A	
			ART UNIT	PAPER NUMBER
			3621	

HelloBrian.com
c/o Mr. Alan Johansen
1575 Courtney Avenue
Pleasanton, CA 94588

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/964,230

Applicant(s)

SASTRI ET AL.

Examiner

James A. Reagan

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in response to the application filed on 25 September 2001.
2. Claims 1-30 have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-5, 14-20, 29, and 30 are rejected under 35 U.S.C. 102(a) as being anticipated by Salesky et al. (US 6,343,313 B1).

Examiner's note: Examiner has pointed out particular references contained in the prior art of record in the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the *entire* reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claims 1 and 16:

Salesky discloses computer conferencing (see at least column 1, lines 9-17), capturing portions of the communication (see at least column 2, lines 29-38), recording and playback of communications (see at least 1, lines 9-17), essentially disclosing:

- *providing a service to exchange information using digital collaboration;*
and
- *automatically capturing information exchanged between users of the service.*

Salesky also discloses computer client/server architectures and the use of the World Wide Web for conducting the computer conference between servers and clients (see at least column 1, line 65 to column 2, line 10), essentially disclosing:

- *a server computer connected to at least one client computer via a global-area computer network; and*
- *a server computer program executed by the server computer.*

Claims 2, 4, 14, 15, 17, 19, 29, and 30:

With regard to the limitations of:

- *the information captured includes the context in which the information was exchanged between the users of the service;*
- *the information replayed includes the context in which the information was exchanged between the users of the service.*
- *capturing a source of the information captured during digital collaboration; and*
- *the source of the information captured during digital collaboration is part of the context of the digital collaboration.*

Salesky discloses the online computer conferencing and collaboration tool as shown in the rejection of claims 1 and 16 above. Salesky does not specifically disclose

that the collaboration sessions are titled or dated in such a way as to divulge the content, locations or substance of the session. However, Examiner takes **Official Notice** that it is old and well known in the computer arts to name file and store files according to the context with which they pertain, such as, for example, titling a resume, "Jim's Resume", or meeting notes, "28/07/2004 Notes", etc, because this provides the user with a quick look-up feature.

Claims 3 and 18:

With regard to the limitation of *replaying at least a portion of the captured information*, Salesky disclosing playback as shown the rejection of claims 1 and 16 above.

Claims 5 and 20:

With regard to the limitation of *the information captured is exchanged between solution seekers and solution providers*, the Examiner takes **Official Notice** that it is old and well known in the research and development arts to use online collaboration tools to discuss problems, solutions, and techniques between R and D facilities because it allows users to share documents and ideas in real time, regardless of geographic location.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6-13 and 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salesky in view of Siminof (US 2002/0016861 A1).

Claims 6-8 and 21-23:

Salesky discloses the online computer conferencing and collaboration tool as shown in the rejection of claims 1 and 16 above. Salesky does not specifically disclose:

- *the information is captured using a client computer program installed on a client computer used by a user of the service;*
- *the client computer program is an applet, and*
- *the client computer program is downloaded from a server computer onto the client computer and installed on the client computer when the user of the service begins using the service;*

Siminof, however, in at least paragraph 0009 discloses a server providing applets to a client machine immediately after connecting and downloading the applets to run collaboration software. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two references because downloading JAVA applets for specific applications is an efficient and user-friendly way to deliver software applications.

Claims 9-13 and 24-28:

Salesky discloses the online computer conferencing and collaboration tool as shown in the rejection of claims 1 and 16 above. Salesky does not specifically disclose:

- *inserting one or more tags into the captured information;*
- *the tags are XML tags;*
- *the tags are inserted in an IP packet transmitted from the client computer to the server computer;*
- *the tags are inserted in a payload portion of the IP packet; and*

- *the tags indicate a type of communication used during digital collaboration;*

Siminof, however, in at least paragraph 009 discloses HTML, essentially disclosing XML and the long-standing and standard use of tags in web-based documents. In addition, Siminof in at least paragraph 0085 discloses applet tags embedded within the web page, essentially disclosing embedding the tags into the ip packet transmitted to the client and within the payload (web page). Siminof does not specifically disclose that the tag indicates the type of communication used, but it would be considered obvious to all of ordinary skill in the art that tags could be used for the purposes of establishing communication metrics for the collaboration session. Therefore, it would be considered obvious to one of ordinary skill in the art at the time of the invention to combine the two references because the use of tags in web based applications is an integral and widely-practiced method for conveying information across the Internet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **James A. Reagan** whose telephone number is **(703) 306-9131**. The examiner can normally be reached on Monday-Friday, 9:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **James Trammell** can be reached at (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 305-3900**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

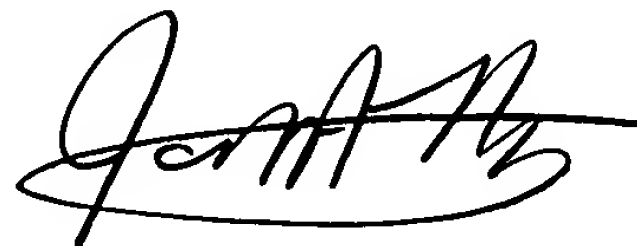
(703) 305-7687 [Official communications; including

After Final communications labeled "Box AF"]

(703) 308-1396 [Informal/Draft communications, labeled "PROPOSED"
or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

JAR
28 July 2004

A handwritten signature in black ink, appearing to read 'James A. Reagan', with a stylized flourish at the end.